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6 **DISTRICT COURT OF GUAM**
7 **TERRITORY OF GUAM**

8 JASON COBURIAN ORTIOLA,
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10 Petitioner,

11 vs.

12 UNITED STATES OF AMERICA,
13

Respondent.

Criminal Case No. 05-00047
Civil Case No. 06-00037

ORDER

14 This matter comes before the court on Petitioner Jason Ortiola's ("Ortiola") Motion for
15 Certificate of Appealability ("motion") following the court's denial of his motion to correct
16 sentence pursuant to 28 U.S.C. § 2255. A certificate of appealability may be issued from a final
17 order in a proceeding under § 2255 "only if the applicant has made a substantial showing of the
18 denial of a constitutional right." 28 U.S.C. § 2253(c)(2). Ortiola has made no such showing.
19 Further, Ortiola has failed to demonstrate that the issues surrounding this court's denial of his
20 § 2255 petition are "debatable among jurists of reason." *See, Jennings v. Woodford*, 290 F.3d
21 1006, 1010 (9th Cir. 2002). Accordingly, Ortiola's motion for a certificate of appealability is
22 **DENIED.**

23 **IT IS SO ORDERED.**
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/s/ Frances M. Tydingco-Gatewood
Chief Judge
Dated: May 02, 2007